GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Allegation of corruption against Sri S. Ramaswamy Naik, Station Fire Officer, Ananthapur – Trapped on 18-06-2000 – Prosecuted - Acquitted by Judgment of Special Judge Court for SPE & ACB cases, Hyderabad in C.C.No.24/2001 – Criminal Appeal No. 187/2007 file by the ACB - Dismissed the Criminal Appeal by the High Court of Andhra Pradesh – Examined – Dropping of further action – Release of terminal benefits in respect of Sri S. Ramaswamy Naik, Regional Fire Officer (Retd.) – Orders - Issued.

HOME (SC.B) DEPARTMENT

G.O.Ms.No.184

Dated: 02-11-2023.

Read the following:

1. From the Director General, ACB, AP, Hyderabad, Rc.No.89/RCT-ATP/2000, Dt.30.06.2001.
2. G.O.Ms.No.218, Home (SC.B) Dept dated.29.09.2001.
3. Judgment of Special Judge Court for SPE & ACB cases, City Civil Court at Hyderabad in C.C.No.24/2001, dated:08.09.2006.
4. Govt. Memo. No.795/SC.B/A2/2000-11, dt.16.12.2006.
5. Orders of the Hon'ble High Court of AP., Criminal Appeal No.187/2007, dt.28-06-2022.
6. From the Director General, ACB, A.P., Vijayawada, Rc.No.89/RCT-ATP/2000, dated.22.11.2022.
7. Representation of Sri S. Ramaswamy Naik, Regional Fire Officer (Retd.), dated. 26.09.2022.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, Andhra Pradesh has informed that Sri S. Ramaswamy Naik, Station Fire Officer, Ananthapur was trapped by the officials of A.C.B. on 18-06-2000 when he demanded and accepted an illegal gratification of Rs.8,000/- for doing official favour, from the complainant, Sri S.K. Nazeem of Anantapur. The above allegation is substantiated. Hence, he has recommended to prosecute the AO in the Court of Law for the offences punishable under under sections 7, 13(1) (d) read with section 13(7) of the Prevention of Corruption Act,1988.

2. In the reference 2nd read above, Government were issued orders to prosecute the Accused Officer Sri S. Ramaswamy Naik, Station Fire Officer, Ananthapur in a Court of Law under sections 7, 13(1) (d) read with section 13(7) of the Prevention of Corruption Act,1988.

3. In the reference 3rd read above, the Special Judge Court for SPE & ACB cases, City Civil Court at Hyderabad has ordered that "the AO Sri S. Ramaswamy Naik, Station Fire Officer, Ananthapur is found not guilty of the charges framed against him under sections 7, 13(1) (d) read with section 13(2) of the Prevention of Corruption Act,1988 and he is acquitted under section 248(1) Cr.P.C.

(P.T.O.)

4. In the reference 4th read above. Government have accorded permission to the ACB to prefer an appeal against the above said acquittal orders. Accordingly, the ACB have filed Criminal Appeal vide No.187/2007 before the Hon'ble High Court against the acquittal order of the Special Judge Court for SPE & ACB cases, City Civil Court at Hyderabad in C.C.No.24/2001, dated:08.09.2006.

5. In the reference 6th cited, the Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada has informed that the Hon'ble High Court dismissed the Criminal Appeal filed by the Bureau on 28-06-2022 and stated that the bureau is opined that it is not a fit case to file SLP before the Hon'ble Supreme Court of India.

7. In the reference 7th read above, the Charged Officer Sri S. Ramaswamy Naik, RFO (Retd.), has requested to release his terminal benefits, as he was acquitted from the case as well as dismissal of appeal.

8. Government after careful examination of the matter, hereby order to drop further action against Sri S. Ramaswamy Naik, Regional Fire Officer (Retd.), consequent on his acquittal from the Special Judge Court for SPE & ACB cases, Hyderabad in C.C.No.24/2001, dated:08-09-2006, as well as Criminal Appeal filed by ACB vide Criminal Appeal No.187/2007, dismissed by the Hon'ble High Court. Accordingly, Director General, State Disaster Response and Fire Services, Andhra Pradesh, Vijayawada is hereby directed to release all the consequential benefits to the individual, duly treating the suspension period from 25.06.2000 to 12.05.2003 as Not on Duty, under Rule 54 of Fundamental Rules.

9. The Director General, State Disaster Response and Fire Services, Andhra Pradesh, Vijayawada shall take necessary action in the matter.

10. This order issues with the concurrence Finance Department vide their U.O.No. FIN01-HR0MISC/21/2023-HR-III, dt.31.10.2023 (Computer No.2032278).

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S. Ramaswamy Naik, Regional Fire Officer (Retd.),
through the Director General, State Disaster Response and Fire Services,
Andhra Pradesh, Vijayawada.
The Director General, State Disaster Response and Fire Services,
Andhra Pradesh, Vijayawada.

Copy to :
The Director General, ACB, AP, Vijayawada.
The Pay and Accounts Officer, Vijayawada,
The Accountant General, AP, Vijayawada.
The Director of Treasuries and Accounts, A.P., Vijayawada.
The OSD to Hon'ble Minister(Home).
The Law Department/Finance (HR.III) Department.
SF/SC.

// FORWARDED BY ORDER //

MSRaw
SECTION OFFICER(SC)